

**AMENDMENT UNDER 37 C.F.R. § 1.116**

U.S. Appln. No.: 09/348,575

Attorney Docket Q55017

**REMARKS**

This amendment, submitted in response to the Office Action dated March 11, 2004, is believed to be fully responsive to each point of objection raised therein. Accordingly, favorable reconsideration is respectfully requested.

Claims 1- 15 are all the claims pending in the application. Minor, non-narrowing amendments have been made to correct informalities in several claims.

Claims 1 and 5 stand rejected under 35 U.S.C. § 102 as being anticipated by Saito (U.S. Patent No. 6,523,696, hereinafter "Saito"). Applicant respectfully traverses this rejection with respect to independent claim 1, which requires:

forwarding of said internet packets from one of said at least one edge router towards said destination host based only on said global internet address.

And independent claim 5, which requires:

forwarding means, adapted to route said internet packets from one of said at least one edge router towards said destination host based only on said global internet address.

In making this rejection, the Examiner asserted that Saito teaches a method and apparatus for an Internet forwarding method comprising forwarding of the Internet packets from one of the at least one edge router toward the destination host based only on the global Internet address. However, to be an "anticipation" rejection under 35 U.S.C. § 102, the reference must teach every element and limitation of the Applicants' claims. Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.

Saito does not teach each element of the claimed invention but only teaches a global IP address that is currently given in 32 bits but is expected to be given in 128 bits in near future so that it is realistic to consider an environment which can assign a global IP address to each terminal (*see* col. 19, ln. 23-26, Saito). This does not correlate to a method of claim 1 or a

**AMENDMENT UNDER 37 C.F.R. § 1.116**

U.S. Appln. No.: 09/348,575

Attorney Docket Q55017

system of claim 5 of *forwarding* internet packets from a one edge router towards a destination host based only on a global internet address. The claimed invention forwards *packets* based on a global internet address while Saito merely assigns a global IP address to each terminal and thus *delivers* with no need for *forwarding*. If every terminal had a unique IP address, forwarding is no longer necessary and only routing is required.

Applicant respectfully submits that the reference cited above by the Examiner fails to teach or suggest all of the claim limitations as set forth in the present invention. Since claims 2-4 depend from claim 1 and claims 6-8 depend from claim 5, and since the Saito reference does not disclose all of the limitations of claim 1 or claim 5, Applicant submits that claims 2-4 and 6-8 are patentable at least by virtue of their dependency from claims 1 and 5 respectively. Accordingly, Applicant respectfully requests that the rejections of claims 1-8 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

**AMENDMENT UNDER 37 C.F.R. § 1.116**

U.S. Appln. No.: 09/348,575

Attorney Docket Q55017

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Kelly G. Hyndman

Registration No. 39,234

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: June 14, 2004